IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11313 of 1998

Between:

Winsett Pharmaceuticals Pvt. Ltd. rep. by
Managing Director M.S.R.K. Prasad

..... PETITIONER

AND

1 A.P. State Financial Corporation Ltd. rep. by its
Managing Director, Chirag Ali Lane, Hyderabad.
2 The Branch Manager A.P. State Financial
Corporation Ltd. Sithampet, Kakinada,
East Godavari Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction declaring the action of the respondents in not settling the Loan Account No.55831311 and not refunding the amount due to the petitioner, even though the respondent realised the amount due to it by sale of land and building belonging to the petitioner pursuant to the newspaper advertisement dt: 24-1-1997 as arbitrary, illegal, unjust, unreasonable, voilative of the fundamental and constitutional rights guaranteed under Arts. 14 & 300-A of the Constitution of India and issue a consequential direction to the respondents to forthwith settle the account and refund the amount due to the petitioner.

Counsel for the Petitioner: MR.S.SRINIVAS REDDY

Counsel for the Respondents: MS.Y.N.LOHITA (SC FOR AP STATE FINANCE CORP)

The Court made the following :

ORDER:

This writ petition is filed seeking to declare the action of the respondents in not settling the Loan Account No.55831311 and not refunding the amount due to the petitioner, though the respondents realized the amount due to them by sale of land and building belonging to the petitioner pursuant to the newspaper advertisement dated 24-1-1997, as arbitrary and illegal and consequently to direct the respondents to settle the account and refund the amount due to the petitioner forthwith.

Though the writ petition was admitted on 22-06-1998, no counter-affidavit has been filed by the respondents.

When the matter came up today for hearing, the learned Standing Counsel appearing for the respondents submitted that A.P. State Financial Corporation paid an amount of Rs.1,33,412/- to the petitioner by way of D.D. No.781760, dated 29-4-1998 drawn on Andhra Bank, Aryapuram, and accordingly settled the account of the petitioner. Therefore, no orders are required to be passed in this writ petition.

Recording the above submission of the learned Standing Counsel appearing for the respondents, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J

Date: 11-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Managing Director, A.P. State Financial Corporation Ltd., Chirag Ali Lane, Hyderabad.
2 The Branch Manager A.P. State Financial Corporation Ltd. Sithampet, Kakinada, East Godavari Dist.

3 Two CD copies

*Form-NIC-OGS/WP{**ANURADHA**}*